APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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NEW YORK NY 10022

EXAMINER	
COLBERT, F	

ART UNIT	PAPER NUMBER
2172	

DATE MAILED:

07/30/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trad marks

-- Th MAILING DATE of this communication appears on th cover sh et with the correspondenc address --

Peri d f r Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _23 May 2001_ .

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-6_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-6_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved.

12)☐ The oath or declaration is objected to by the Examiner.

Pri rity under 35 U.S.C. § 119

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

15)☒ Notice of References Cited (PTO-892)   18)☐ Interview Summary (PTO-413) Paper No(s). _____ .

16)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   19)☐ Notice of Informal Patent Application (PTO-152)

17)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .   20)☐ Other: .

DETAILED ACTION

Response to Amendment

1.   Claims 1-5 are pending. Claims 1, 3, and 5 are independent claims.

2.   Applicants' RCE filed 23 May 2001 has been entered as paper number 11.

Claims 1, 3, and 5 have been amended and claim 6 has been added.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Francisco et al

(US 6,105,043), hereafter Francisco et al.

With respect to claim 1, analyzing a macro language expression (**col. 4, lines 50-67 and**

col. 5, lines 1-11), determining based on predetermined syntax of a macro language expression,

the keyword representing a macro command initially unknown to the macro language (**col. 15,**

lines 31-67 and col. 16, lines 1-17), retrieving a code of instructions associated with the keyword

from a registry of keywords (**col. 15, lines 1-14**), executing the code of instructions associated

with a keyword (**col. 15, lines 14-19**). Francisco did not explicitly teach, a registry of keywords,

but it would have been obvious at the time the invention was made to one having ordinary skill in

the art of keywords to have a registry of keywords and to incorporate in Francisco because it is

well known in the art that the C language itself has a registry of 33 keywords with the keywords

being used in the source code and compiling of the macro language.

With respect to claim 2, extending the registry of keywords by inserting a new keyword

representing a new macro command and a code ... **(col. 16, lines 58-66 and col. 17, lines 1-40)**.

With respect to claims 3, a parser having a predefined syntax determining one or more

extended keywords embedded within a macro language expression, ... **(col. 15, lines 55-67 and**

col. 16, lines 1-17), a keyword repository having one or more keywords and one or more

associated codes **(col. 16, lines 21-55)**. Francisco did not explicitly teach, a parser and a macro

handler coupled to the parser for receiving an extended keyword from the parser, the macro

handler responding to the received extended keyword, retrieving a code associated with the

received extended keyword from the keyword repository and executing the code to run the macro

command represented by the extended keyword, but it would have been obvious at the time the

invention was made to a person having ordinary skill in the art of extended keywords to have a

parser and code associated with the extended keywords and to incorporate in Francisco because

such a modification would enhance Francisco's extended keyword since the parser receives the

keyword first, then parses the expression and the macro handler in response saves the previous

contents of the processor registers (keywords) during execution of the main program with the

user selecting the functions and submitting the macro command to run the code associated with

the keywords with a prefix symbol.

With respect to claim 4, Francisco did not explicitly teach, a keyword repository augmented to include one or more new keywords and one or more associated codes, but it would have been obvious to one having ordinary skill in the art at the time the invention was made to have a keyword repository augmented to include one or more new keywords associated with codes and to incorporate in Francisco because such a modification would enhance Francisco's creation of macro language files for searching and executing SQL queries.

With respect to independent claim 5, this claim is rejected on grounds corresponding to the reason given above for rejected independent claim 1. Applicant's claim 5 has a method for parsing a macro language expression with steps corresponding to the method in rejected claim 1.

With respect to claim 6, wherein the code includes machine operable instructions (**col. 4, lines 50-67, col. 5, lines 1-11 and lines 65-67, and col. 6, lines 1-10**).

Conclusion

5.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Schwerdtfeger et al (US 6,085,120) taught the macro language compiled profiling environment.

INQUIRIES

7.   Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Ms. Ella Colbert whose telephone number is (703) 308-7064. The Examiner can normally be reached Monday through Thursday from 6:30 a.m. to 3:00 p.m. EST.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Kim

Vu, can be reached on (703)305-4393.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

(703)308-9051, (for formal communications intended for entry).

Or:

(703)308-5403 (for informal or draft communications, please label

"PROPOSED" or **"DRAFT").**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,

Arlington, Virginia., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the Group Receptionist whose telephone number is (703)308-9600.

Colbert

July 6, 2001

KIM VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100